

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

4 OCTOBER 2005

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers T. Dianne Bellamy-Small, Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips, and Donald R. Vaughan. Absent: None. Also present were Mitchell Johnson, Interim City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Connie White, employee in the Parks and Recreation Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Mayor Holliday noted Council would now hear from Speakers from the Floor.

Judy Mendenhall, residing at 1111 Gatehouse Road, High Point, NC and President of the International Home Furnishings Market, commended members of Council for their leadership and support of the Market held in that City. She offered details with regard to the event and the economic impact the Market had on Greensboro and other surrounding communities.

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Beth McKee-Huger, residing at 408 Woodlawn and representing the Greensboro Housing Coalition; Ken Carter, representing the Guilford County Health Department; and members of City staff provided information with regard to the 2nd Annual Healthy Homes Bus Tour 2005 and detailed ongoing efforts to address unsafe housing in Greensboro. A PowerPoint presentation was used to provide additional information with regard to the above tour, the identification of safety problems, health issues related to lead paint, and deteriorated housing structures, accomplishments over the past year, and the need to move forward with education, repairs, enforcement and partnerships. (A copy of the PowerPoint presentation is filed in Exhibit Drawer P, Exhibit Number 15, which is hereby referred to and made a part of these minutes.)

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Warren Gates, representing the American Lung Association, spoke to the upcoming First Annual Asthma Walk and challenged Council and Greensboro citizens to participate in this effort to raise funds for this worthwhile cause. He spoke to his personal health issues and to the impacts of asthma-related health issues on citizens who have this disease and on their families.

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Mayor Holliday took the prerogative of the Chair and recognized Councilmember Bellamy-Small for a special recognition. Councilmember Bellamy-Small introduced and recognized the following recipients at the first Women in Law Enforcement Awards event who were present in the Chamber: Gail Miller, retired from the Guilford County Sheriff's Department—Pioneer Award; Odessa Long, formerly with the Greensboro Police Department—Mentor/Education Award; Sergeant Karen Walters, Greensboro Police Department—Leadership Award; and Brenda Bishop, retired from the Greensboro Police Department—Excellence Award. Councilmember Bellamy-Small provided details about the event and expressed appreciation to the recipients, members of the Committee and participants who made the event a success. Mayor Holliday commended Councilmember Bellamy-Small for her efforts in the organization of this special event.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning property from RS-12 Residential Single Family to RS-9 Residential Single Family for property located on the northwest side of Martin Avenue between Holland Road and Way Street.

Richard "Dick" Hails, Planning Department Director, reviewed the rezoning request that contained no conditions, used a context map and photographs to illustrate the property and surrounding area, and stated that the Zoning Commission recommended approval of the request.

The Mayor asked if anyone wished to be heard.

Brian Kauffman, residing at 7820 Wilson Farm Road, Summerfield, NC, spoke in favor of the rezoning, detailed plans for development of the property, and asked for the rezoning to enable the division of the property for development.

There being no additional speakers to this item, Councilmember Johnson moved to close the public hearing. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of Council.

Mr. Hails stated that this proposed was generally consistent with the future land use map and that staff recommended approval of the rezoning request; he noted that details that had been discussed with regard to the zoning request were for illustrative purposes only.

Council discussed at length various opinions and concerns with regard to the fact that the request contained no conditions; that information provided by Mr. Kauffman for his plans to develop the property were for illustrative purposes only; the topography, width and footage of the property proposed for rezoning; the fact that Council did not want additional flag lots placed in Northeast Greensboro, and the desire that staff visit all property proposed for rezoning.

Mayor Holliday suggested that City staff might offer assistance when zoning applications were received to help the applicant understand their best application options while maintaining the quality of life for residents in the area of the property. Discussion was held with regard to personal opinions about the existing ordinance and the feasibility of making specific changes to the ordinance; some members of Council discussed their opinions with regard to development standards vs. lot size to ensure appropriate development.

In response to Council inquiries, Mr. Kauffman advised he had contacted one of the area property owners to discuss the rezoning request, and Mr. Hails also explained the process used by staff to send legal notices to area property owners; Mr. Hails advised that a member of the Planning Department staff visited all property proposed for rezoning.

Councilmember Gatten moved that Council deny the rezoning request. The motion was seconded by Councilmember Phillips; the ordinance was DEFEATED on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

(A copy of the ordinance as introduced and DEFEATED and additional information is filed in Exhibit Drawer P, Exhibit Number 15, which is hereby referred to and made a part of these minutes.)

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution closing South Booker Street from the northern end of a proposed turnaround northwestward to the railroad track, a distance of approximately 365 feet. He asked if anyone wished to be heard.

There being no one desiring to speak to this matter, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

205-05 RESOLUTION CLOSING SOUTH BOOKER STREET FROM THE NORTHERN END OF A PROPOSED TURNAROUND NORTHWARD TO THE RAILROAD TRACK, A DISTANCE OF APPROXIMATELY 363 FEET

WHEREAS, the owners of all of the property abutting both sides of South Booker Street requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, October 4, 2005, at 5:30 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

SOUTH BOOKER STREET FROM THE NORTHERN END OF A PROPOSED TURNAROUND
NORTHWARD TO THE RAILROAD TRACK, A DISTANCE OF APPROXIMATELY 363 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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At staff's request, the Mayor removed Item #8 from the Consent Agenda so the item could be deleted from the agenda. Councilmember Gatten removed Item #15 from the Consent Agenda. Councilmember Carmany removed Item #23 from the Consent Agenda.

Councilmember Gatten thereupon moved adoption of the Consent Agenda, as amended. The motion was seconded by Councilmember Johnson; the amended Consent Agenda was adopted on the following roll call vote:

Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.
Noes: None.

206-05 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN
PORTION OF THE PROPERTY OF BNP/CHRYSSON PHASE 1 LLC, IN CONNECTION WITH THE
LAKE JEANETTE ROUND A BOUT

WHEREAS, BNP/Chrysson Phase 1 LLC is the owner of certain property located on Lake Jeanette Road,
said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lake Jeanette Round
A Bout Project;

WHEREAS, negotiations with the owner at the appraised value of \$3,850.00 have been unsuccessful and
said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized
to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to
issue a draft to the Clerk of Superior Court as compensation to the owner in the amount of \$3,850.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby
authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is
hereby authorized to issue a draft in the amount of \$3,850.00 to the Clerk of Superior Court as compensation to the
owner, payment to be made from Account No. 441-6003-10.6012 Activity No. 01067.

(Signed) Florence F. Gatten

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05-195 ORDINANCE AMENDING THE FY 2005-2006 GENERAL FUND AND FY 2005-2006
GUILFORD METRO 911 FUND BUDGETS TO TRANSFER WIRELESS FUND BALANCE
FROM THE GENERAL FUND TO THE GUILFORD METRO 911 FUND AND TO
APPROPRIATE FUNDING FOR TRAINING

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 2005-2006 General Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the FY 2005-2006 General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9590-01.6281	Transfer to Guilford Metro 911	<u>\$978,430</u>
TOTAL:		\$978,430

and, that this increase be financed by increasing the following FY 2005-2006 General Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-0000-00.8900	Appropriated Fund Balance	<u>\$978,430</u>
TOTAL:		\$978,430

Section 2

That the FY 2005-2006 Guilford Metro 911 Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the FY 2005-2006 Guilford Metro 911 Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
281-3903-01.5520	Seminar/Training Expenses	\$158,000
281-3999-01.5949	Miscellaneous	<u>\$820,430</u>
TOTAL:		\$978,430

and, that this increase be financed by increasing the following FY 2005-2006 Guilford Metro 911 Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
281-3903-01.9101	Transfer from General Fund	<u>\$978,430</u>
TOTAL:		\$978,430

Section 3

That this ordinance should become effective upon adoption.

(Signed) Florence F. Gatten

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05-196 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR TRAINING REIMBURSEMENT FOR URBAN SEARCH AND RESCUE TRAINING

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Federal, State, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follow:

That the appropriation for the Federal, State, and Other Grants Fund Budget be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4068-01.5949	Miscellaneous	<u>\$7,000</u>
TOTAL:		\$7,000

And, that this increase be financed by increasing the following Federal, State, and Other Grants Fund Budget accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4068-01.7110	State Grant	<u>\$7,000</u>
TOTAL:		\$7,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Florence F. Gatten

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207-05 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 18, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 2316 JOE BROWN DRIVE – 9.237 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 4th day of October, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 2316 JOE BROWN DRIVE—9.237 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of August 31, 2005), said point being in the centerline of Jorden Branch, and being at or near the southeast corner of the Drainageway and Open Space of Brown Industrial Park, Phase 1, as recorded in Plat Book 149, Page 10 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the east line of the Drainageway and Open Space of Brown Industrial Park, Phase 2, as recorded in Plat Book 158, Page 124 in the Office of the Register of Deeds, S 6° 20' 28" W 171.86 feet to the southeast corner of said Drainageway and Open Space; thence S 73° 35' 25" W approximately 260 feet with the south line of said Drainageway and Open Space to the northeast corner of Lot 1 of Property of Greater Greensboro Housing Foundation, as recorded in Plat Book 139, Page 150 in the Office of the Register of Deeds, a point in the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 73° 08' 00" W 629.92 feet along the north line of said lot to the northeast corner of Dwayne T. Hall Builders, as shown at Plat Book 153, Page 39 in the Office of the Register of Deeds; thence with the north line of Hall Builders S 74° 15' 00" W 209.65 feet to the northeast corner of Rockwood Manor, as recorded in Plat Book 67, Page 18 in the Office of the Register of Deeds; thence S 74° 09' 30" W 216.78 feet along the north line of Rockwood Manor to the southeast corner of Property of Glenn Campbell, as recorded in Plat Book 70, Page 33 in the Office of the Register of Deeds; thence N 3° 09' 30" E 240 feet along Campbell's east line to Campbell's northeast corner; thence in a northeasterly direction approximately 490 feet to a point in the centerline of Jorden Branch; thence in an easterly direction with the centerline of said stream approximately 1,300 feet to the point and place of BEGINNING, and containing approximately 9.237 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, October 18, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 8th, 2005.

(Signed) Florence F. Gatten

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208-05 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 18, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 4601 AND 4603 YANCEYVILLE ROAD – 24.55 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 4th day of October, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4601 AND 4603 YANCEYVILLE ROAD – 24.55 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the western margin of Yanceyville Road and being the northeast corner of Estate of Ruby Louise J. Cole, said point being located N 04° 28' 51" E 121.23 feet from City of Greensboro Monument 299E; thence with said western margin S 27° 51' 09" W 99.99 feet to a point in the existing Greensboro city limits (as of September 30, 2005); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 85° 23' 28" W 373.98 feet along the south line of Estate of Ruby Louise J. Cole to a point; thence S 04° 55' 25" W 105.26 feet along Cole's south line to a point; thence N 84° 43' 16" W 1,250.63 feet along Cole's south line and the south line of Townsend Developers, LLC, which is also the north line of Storrington subdivision, to the southwest corner of Townsend; thence N 03° 28' 55" E 183.17 feet along Townsend's west line to a point; thence N 04° 51' 09" E 536.37 feet along Townsend's west line to Townsend's northwest corner; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 81° 49' 13" E 1,846.09 feet along Townsend's north line to Townsend's northeast corner, a point in the western margin of Yanceyville Road; thence with said western margin S 27° 41' 38" W 399.75 feet to the point and place of BEGINNING, and containing approximately 24.55 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, October 18, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 8, 2005.

(Signed) Florence F. Gatten

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209-05 RESOLUTION CALLING A PUBLIC HEARING FOR OCTOBER 18, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED NORTH OF MEMORY WAY AND I-85, WEST OF 220, AND SOUTH OF GLENDALE DRIVE – 36.553 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 4th day of October, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH OF MEMORY WAY AND I-85, WEST OF 220, AND SOUTH OF GLENDALE DRIVE – 36.553 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing city limits (as of September 30, 2005) of the City of Greensboro, said point being in the eastern line of the property now or formerly of Dorothy M. Oliver, Trustee of Oliver Living Trust, which point is located S 02° 44' 02" W 190.77 feet from the southern margin of Glendale Drive; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 84° 40' 47" E 898.90 feet to a point in the western line of

the property now or formerly of Jerry Wayne Hare; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the western line of Hare S 04° 30' 18" W 575.54 feet to an existing iron pin at Hare's southwest corner; thence along Hare's southern line S 83° 34' 12" E 328.59 feet to a new iron pin; thence continuing along Hare's southern line S 83° 34' 12" E 38.12 feet to an existing iron pin in the western margin of U.S. Highway 220 South; thence along said margin the following courses and distances: with a curve to the right having a radius of 5,574.58 feet and a chord bearing and distance of S 10° 59' 15" W 387.87 feet to a new iron pin, N 79° 17' 40" W 34.53 feet to a new iron pin, and S 11° 27' 21" W 299.95 feet to a new iron pin; thence with the northern and western margins of the interchange of said highway and new I-85 the following courses and distances: S 57° 29' 41" W 71.99 feet to a point, with a curve to the left having a radius of 344.49 feet and a chord bearing and distance of N 69° 38' 04" W 184.78 feet to a point, and with a curve to the left having a radius of 344.49 feet and a chord bearing and distance of N 43° 25' 25" W 556.59 feet to a brass cap in a monument in the northern margin of new I-85; thence with said northern margin N 79° 35' 24" W 180.27 feet to a control point; thence continuing with said northern margin N 79° 34' 46" W 289.90 feet to a new iron pin located within Memory Way in the southern line of the property now or formerly of Barbara M. Rich; thence N 79° 36' 42" W 65.54 feet to a point in the southern line of the property now or formerly of Billy T. McCuiston; thence along McCuiston's line N 48° 51' 10" W 34.16 feet to a point in McCuiston's eastern line; thence along said line N 04° 45' 38" E 375.35 feet to an existing iron pin; thence along said line N 04° 45' 38" E 217.36 feet to a control point; thence along said line N 04° 45' 38" E 65.38 feet to a new iron pin; thence along said line N 04° 46' 08" E 602.20 feet to a stone at the southeast corner of the property of Oliver, Trustee; thence along the eastern line of Oliver, Trustee N 02° 44' 02" E 370.29 feet to the point and place of BEGINNING, and containing approximately 36.553 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after December 31, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 6/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, October 18, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 8, 2005.

(Signed) Florence F. Gatten

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210-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF WAL-MART STORES, INC. FOR THE WENDOVER WEST SIDEWALK PROJECT

WHEREAS, in connection with the Wendover West sidewalk project, the property owned by Wal-Mart Stores, Inc., Tax Map No. 1-28-892-58 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$16,400.00 and the owner has agreed to settle for the price of \$17,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$17,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 441-6003-19.6012 Activity #01084.

(Signed) Florence F. Gatten

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211-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF GADDY-McCASKILL PROPERTIES, LLC FOR THE NEW GARDEN ROAD WIDENING PHASE II PROJECT

WHEREAS, in connection with the New Garden Road Widening Phase II project, the property owned by Gaddy-McCaskill Properties, LLC, Tax Map No. 3-175-832-10 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$23,880.50 and the owner has agreed to settle for the price of \$28,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$28,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 402-4531-01.6012 Activity #03216.

(Signed) Florence F. Gatten

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212-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF BETTY J. WINFREE OR THE NEW GARDEN ROAD WIDENING PHASE II PROJECT

WHEREAS, in connection with the New Garden Road Widening Phase II project, the property owned by Betty J. Winfree, Tax Map No. 3-175-793-9 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$21,827.00 and the owner has agreed to settle for the price of \$29,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$29,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 402-4531-01.6012 Activity #03216.

(Signed) Florence F. Gatten

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213-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF MARY E. LINDLEY FOR THE NEW GARDEN ROAD WIDENING PHASE II PROJECT

WHEREAS, in connection with the New Garden Road Widening Phase II project, the property owned by Mary E. Lindley, Tax Map No. 3-175-792-19 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$27,432.00 and the owner has agreed to settle for the price of \$35,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$35,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 402-4531-01-6012 Activity #03216.

(Signed) Florence F. Gatten

.....

214-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF THOMAS A. HASSARD, SR AND SUSIE H. HASSARD FOR THE NEW GARDEN ROAD WIDENING PHASE II PROJECT

WHEREAS, in connection with the New Garden Road Widening Phase II project, the property owned by Thomas A. Hassard, Sr. and Susie H. Hassard, Tax Map No. 3-175-832-38 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$25,000.00, but the property is located in an area that could possibly be developed as commercial or some other higher value zoning and the owner has agreed to the price of \$65,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price of the above mentioned portion of property in the amount of \$65,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 402-4531-01.6012 Activity #03216.

(Signed) Florence F. Gatten

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215-05 RESOLUTION AUTHORIZING THE SALE BY THE REDEVELOPMENT COMMISSION OF GREENSBORO OF PROPERTY LOCATED AT 1845, 1847 AND 1851 SPENCER STREET TO HABITAT FOR HUMANITY

WHEREAS, in accordance with the adopted Eastside Park Redevelopment Plan, the Redevelopment Commission of Greensboro owns three lots in the Eastside Park neighborhood located at 1845, 1847 and 1851 Spencer Street with the intent to remove the existing dilapidated housing units;

WHEREAS, Habitat for Humanity has proposed to the Eastside Park Neighborhood Association and the Redevelopment Commission to purchase said lots in order to provide sufficient land for development of twenty (20) for-sale town home-style units for persons of very low income;

WHEREAS, Habitat owns 400 Bingham Street which is contiguous to these lots;

WHEREAS, the sale of these lots to Habitat for Humanity will improve rates of homeownership, a goal of the Eastside Park neighborhood's adopted Redevelopment Plan, as well as provide an opportunity for twenty lower income families to experience homeownership through Habitat's unique program;

WHEREAS, the proceeds from this sale will be returned to the City's HOME program for other HOME-eligible activities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sale by the Redevelopment Commission of Greensboro of property located at 1845, 1847 and 1851 Spencer Street to Habitat for Humanity for the development of twenty (20) for-sale town home-style units for persons of very low income is hereby authorized.

(Signed) Florence F. Gatten

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216-05 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2005-001 WITH BLYTHE CONSTRUCTION COMPANY, INC. FOR THE RESURFACING OF STREETS

WHEREAS, Contract No. 2005-001 with Blythe Construction Company, Inc. provides for the resurfacing of streets;

WHEREAS, due to the overrun of quantities of milling and also overruns encountered in patching, manhole ring and cover replacement, and manhole and valve adjustments, monthly adjustments for asphalt cement are required, thereby necessitating a change order in the contract in the amount of \$122,529.13.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Blythe Construction Company, Inc. for the resurfacing of street improvements is hereby authorized at a total cost of \$122,529.13, payment of said additional amount to be made from Account No. 402-4531-01.5611.

(Signed) Florence F. Gatten

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05-197 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF STATE GOVERNOR'S HIGHWAY SAFETY GRANT COORDINATOR FUNDS

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3508-01.5235	Small Tools & Equipment	\$ 5,400
220-3508-01.5520	Seminars/Training	\$ 4,600
TOTAL:		\$10,000

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3508-01.7110	State Grant	\$10,000
TOTAL:		\$10,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Florence F. Gatten

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217-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1st meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(Signed) Florence F. Gatten

(A copy of the report is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Motion to approve minutes of regular meeting of September 20, 2005 and special meeting of September 27, 2005 was unanimously adopted.

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The Mayor reiterated that staff had requested that Item #8, a resolution authorizing City Attorney to institute proceedings to condemn portion of the property of Clara D. Murphy and Barbara P. Baker in connection with the Sixteenth Street Bridge Replacement Project, be deleted from the agenda because the matter had been resolved. Councilmember Phillips moved to delete the item from the agenda; the motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of Council.

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Mayor Holliday introduced Item #15, a Resolution calling a public hearing for October 18, 2005 on the annexation of territory to the corporate limits—located south of Hilltop Road and East of Shimer Drive—34.614 acres which had been removed from the Consent Agenda by Councilmember Gatten.

Councilmember Gatten noted that the applicant had requested that the amendment with respect to the Comprehensive Plan, annexation ordinance, and original zoning related to property south of Hilltop Road and East of Shimer Drive be continued to the November 18, 2005 City Council meeting. On the advice of the City Attorney, Councilmember Gatten moved to amend the resolution calling a hearing for the annexation on November 15, 2005 rather than October 18, 2005. The motion was seconded by Councilmember Phillips; the amendment to the resolution was adopted on a voice vote of 9-0. The City Attorney advised that the public notices for the comprehensive plan and original zoning would be re-advertised for the November 15 meeting.

Brief discussion was also held with regard to the City's process to notify interested parties about the change in the public hearing date.

Councilmember Gatten thereupon moved adoption of the resolution, as amended. The motion was seconded by Councilmember Phillips; the amended resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

218-05 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 15, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED SOUTH OF HILLTOP ROAD AND EAST OF SHIMER DRIVE – 34.614 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 4th day of October, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED SOUTH OF HILLTOP ROAD AND EAST OF SHIMER DRIVE—34.614 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pin in the southern right-of-way line of Hilltop Road (30' from centerline), at the northwest corner of the Mary J. Owens property, as described at Deed Book 6066, Page 1490 in the Office of the Register of Deeds of Guilford County; thence S 04° 22' 36" W 215.26 feet to the southwest corner of Owens, a point in the existing city limits (as of September 30, 2005) of the City of Greensboro; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the west line of UDRT of North Carolina, LLC, as shown at Plat Book 94, Page 126 in the Office of the Register of Deeds, S 04° 23' 10" W 988.04 feet to the northeast corner of property now or formerly of Gerald C. Pegram, as recorded at Deed Book 2578, Page 404 in the Office of the Register of Deeds, said point being N 04° 23' 10" E 12.16 feet from an existing iron pin in the west line of UDRT; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with Pegram's north line N 73° 48' 34" W 1,153.67 feet to an existing iron pin; thence N 07° 09' 34" W 26.32 feet to an existing axle at the southeast corner of Lot 51 of Hilltop Acres, as recorded at Plat Book 25, Page 6 in the Office of the Register of Deeds; thence with the south line of Lot 51 N 75° 59' 49" W 414.60 feet to the southwest corner of Lot 51; thence with the east right-of-way line of Shimer Drive N 04° 17' 13" W 356.45 feet to the southwest corner of Lot 65 of Hilltop Acres; thence with said right-of-way line N 04° 28' 47" W 201.47 feet to the southwest corner of Lot 2 of the Daniel W. Vaden subdivision, as recorded at Plat Book 72, Page 57 in the Office of the Register of Deeds; thence with said right-of-way line N 04° 18' 11" W 101.92 feet to the southwest corner of Lot 1 of said subdivision; thence with said right-of-way line N 04° 34' 14" W 180.80 feet to a new iron pin on the new south right-of-way line of Hilltop Road; thence with said right-of-way line S 84° 15' 42" E 198.54 feet to a new iron pin in the west line of said Lot 2; thence with said west line N 00° 16' 36" E 24.89 feet to a new iron pin at the northwest corner of said Lot 2; thence with the south right-of-way line of Hilltop Road S 85° 24' 33" E 175.53 feet to the northeast corner of Lot 2; thence S 84° 17' 36" E 198.75 feet to a new iron pin at the northwest corner of the Roy L. Rierison property, as recorded at Deed Book 1594, Page 221 in the Office of the Register of Deeds; thence with Rierison's west line S 00° 11' 30" W 246.17 feet to the northwest corner of Tract 75, Block "B" of Hilltop Acres; thence S 00° 11' 30" W 193.68 feet to the southeast corner of said tract; thence with the north line of the Twin Oaks Enterprises, Inc. property, as recorded at Deed Book 3280, Page 617 in the Office of the Register of Deeds, N 85° 01' 22" E 372.95 feet to the southwest corner of the Raoul M. Turcot property, as recorded at Deed Book 5068, Page 1601 in the Office of the Register of Deeds; thence with Turcot's west line N 01° 32' 08" E 424.42 feet to a new iron pin in the new south right-of-way line of Hilltop Road; thence with said right-of-way line with a curve to the right with a radius of 1,105 feet, an arc length of 49.58 feet, and a chord bearing and distance of N 86° 20' 29" E 49.57 feet to a point in the west line of Turcot's Tract 2; thence with said right-of-way line with a curve to the right with a radius of 1,105 feet, an arc length of 151.52 feet, and a chord bearing and distance of S 88° 26' 42" E 151.40 feet to a point in the west line of Twin Oaks Enterprises, LLC; thence N 14° 43' 14" E 23.64 feet to an existing iron pin at the northwest corner of Twin Oaks in the south right-of-way line of Hilltop Road; thence with said right-of-way line S 77° 55' 22" E 213.64 feet to a point; thence with said right-of-way line S 73° 25' 41" E 211.55 feet to the point and place of BEGINNING, and containing approximately 34.614 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2006, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, November 15, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than November 5, 2005.

(Signed) Florence F. Gatten

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Mayor Holliday introduced a resolution approving Agreement with Action Greensboro, Inc. for construction and development of street and other improvements at Center City Park—Phase One which had been removed from the Consent Agenda by Councilmember Carmany.

At Councilmember Carmany's request for further explanation, Interim City Manager Johnson noted that Council had taken action to partner with Action Greensboro to construct the City's new streetscape abutting Center City Park; he spoke to construction and improvements being made at this time using the on-site contractor in lieu of separate bids, and detailed funding sources for the work.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

219-05 RESOLUTION APPROVING AGREEMENT WITH ACTION GREENSBORO, INC. FOR CONSTRUCTION AND DEVELOPMENT OF STREET AND OTHER IMPROVEMENTS AT CENTER CITY PARK – PHASE ONE

WHEREAS, at its May 3, 2005 meeting, City Council authorized an Agreement with Action Greensboro to have it construct the City's new streetscape abutting Center City Park;

WHEREAS, Phase One of that work for site preparation was put out for bid as alternates to Action Greensboro's base bid on the Park and also Davie Street paving and municipal storm drainage;

WHEREAS, Action Greensboro now desires to do only Phase One of the City's work, plus drainage and street work and have the City contract for the balance of the streetscape work (Phase Two);

WHEREAS, the amount of \$133,760.34 for streetscape site preparation work will be expended from the Church Street Bond Funds, the amount of \$40,866.07 for Davie Street paving from Powell Bill Funds and the amount of \$49,673.62 for municipal storm drainage from storm water funds which will bring the total amount to \$224,300.03 for Phase One, exclusive of any approved change orders.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Agreement with Action Greensboro, Inc. for construction and development of street and other improvements at Center City Park – Phase One is hereby approved and the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of Greensboro.

(Signed) Sandy Carmany

* * * * *

Mayor Holliday introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title and summarized by the Finance Director:

RESOLUTION CALLING A PUBLIC HEARING
CONCERNING THE FINANCING OF THE ACQUISITION
OF A BUILDING AND PROPERTY FOR THE COLISEUM COMPLEX PURSUANT
TO AN INSTALLMENT FINANCING AGREEMENT

WHEREAS, the City Council of the City of Greensboro, North Carolina (the “City”) is considering (a) the financing, pursuant to an installment financing agreement (the “Financing Agreement”) proposed to be entered into by and between the City and a financial institution, of the acquisition of a building and property for the Coliseum Complex; and

WHEREAS, the Financing Agreement, if entered into, will comply in all respects with Section 160A-20 and Chapter 159, Article 8 of the General Statutes of North Carolina and the guidelines of the Local Government Commission of North Carolina for all financings undertaken pursuant to said Section and Article; and

WHEREAS, said Section 160A-20 requires that, before entering into an installment financing agreement involving real property, the City shall hold a public hearing on such agreement; now, therefore,
BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. A public hearing with respect to the Financing Agreement is hereby directed to be held on Tuesday, October 18, 2005, at 5:30 P.M., in the Council Chamber at the Melvin Municipal Office Building in Greensboro, North Carolina.

Section 2. The City Clerk is hereby directed to publish notice of said public hearing, in substantially the following form, once at least ten (10) days prior to the date of the public hearing as required by Section 160A-20(g) of the General Statutes of North Carolina:

NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL OF
THE CITY OF GREENSBORO, NORTH CAROLINA,
CONCERNING THE FINANCING OF THE ACQUISITION OF A
BUILDING AND PROPERTY FOR THE COLISEUM COMPLEX
PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT

NOTICE IS HEREBY GIVEN to all interested persons that the City Council of the City of Greensboro, North Carolina (the “City”) is considering the financing, pursuant to an installment financing agreement (the “Financing Agreement”) proposed to be entered into by and between the City and a financial institution, of the acquisition of a building and property for the Coliseum Complex. The principal amount of the indebtedness to be incurred pursuant to the Financing Agreement is not expected to exceed \$2,200,000.

NOTICE IS HEREBY FURTHER GIVEN that the City Council will hold a public hearing in the Council Chamber at the Melvin Municipal Office Building, 300 West Washington Street, Greensboro, North Carolina, on

October 18, 2005, at 5:30 P.M., or an adjournment thereof, at which time any person may be heard regarding the proposed Financing Agreement.

CITY OF GREENSBORO, NORTH CAROLINA

By: Juanita F. Cooper, City Clerk

Section 3. This resolution shall take effect upon its passage.

Thereupon the City Attorney announced that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember Claudette Burroughs-White, seconded by Councilmember Yvonne J. Johnson, the foregoing resolution entitled: "RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE FINANCING OF THE ACQUISITION OF A BUILDING AND PROPERTY FOR THE COLISEUM COMPLEX PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT" was passed by roll call vote as follows:

Ayes: Councilmembers Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.

Noes: None.

Mayor Holliday thereupon announced that the resolution entitled: "RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE FINANCING OF THE ACQUISITION OF A BUILDING AND PROPERTY FOR THE COLISEUM COMPLEX PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT" had passed by a vote of 9 to 0.

Brief Council discussion was held with regard to the strategic importance of this property to the future of the Coliseum.

* * * * *

After Mayor Holliday introduced a resolution approving amendment to the Eastside Park Community Revitalization Plan, Councilmember Bellamy-Small moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

220-05 RESOLUTION APPROVING AMENDMENT TO THE EASTSIDE PARK COMMUNITY REVITALIZATION PLAN

WHEREAS, the Eastside Park Community Revitalization Area was designated as a blighted area in November, 1992 and the Community Revitalization Plan was adopted in February, 1993;

WHEREAS, since that time most of the goals identified in the original Revitalization Plan have been achieved or exceeded;

WHEREAS, the Department of Housing and Community Development is proposing an amendment to the Eastside Park Community Revitalization Plan which will change the use shown for 1845 and 1847 Spencer Street from single family residential use to single family (attached) residential and a change in use for 1851 Spencer Street from multifamily residential use to single family (attached) residential use;

WHEREAS, at their September meetings, the Redevelopment Commission and the Planning Board voted to recommend approval of this plan amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the amendment to the Eastside Park Community Revitalization Plan changing the use shown for 1845, 1847 and 1851 Spencer Street is hereby approved.

(Signed) T. Dianne Bellamy-Small

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Mayor Holliday introduced a resolution approving Municipal Agreement with NCDOT for the J. Douglas Galyon Depot. He thereupon introduced so these matters could be discussed together, an ordinance establishing in the amount of \$51,000 a grant budget for the landscaping at the J. Douglas Galyon Depot for FY 2005-2006.

After brief discussion, Councilmember Burroughs-White moved adoption of the resolution approving Municipal Agreement with NCDOT for the J. Douglas Galyon Depot. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

221-05 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE J. DOUGLAS GALYON DEPOT

WHEREAS, the Department of Transportation Rail Division and the City of Greensboro have partnered for the past ten years to renovate the old Southern Railway Terminal and establish a multi-modal transportation center for the citizens of Greensboro;

WHEREAS, the State wishes to provide funding for the design and implementation of landscape improvements at the J. Douglas Galyon Depot;

WHEREAS, the City of Greensboro Parks and Recreation Department will be responsible for developing the design and implementing the project;

WHEREAS, the project amount of \$51,000 will be funded through a grant with the NCDOT Rail Division as provided in the Agreement, said Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Agreement presented herewith this day for the landscaping improvement project at the J. Douglas Galyon Depot is hereby approved and the Mayor and City Clerk are hereby empowered to sign and execute the Agreement with the Department of Transportation.

(Signed) Claudette Burroughs-White

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Councilmember Bellamy-Small moved adoption of the ordinance establishing a grant budget for the landscaping at the J. Douglas Galyon Depot for FY 2005-2006. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-198 ORDINANCE ESTABLISHING A GRANT BUDGET FOR THE LANDSCAPING AT THE J. DOUGLAS GALYON DEPOT FOR FY 2005-2006

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the J. Douglas Galyon Depot Landscaping Grant Budget That the appropriation to the J. Douglas Galyon Depot Landscaping Grant Budget be established and funded as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
566-4514-01.5239	Miscellaneous Supplies	<u>\$51,000</u>
Total		\$51,000

And, that this appropriation be financed by establishing and funding the accounts:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
566-4514-01.7110	State Grant	<u>\$51,000</u>
Total		\$51,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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Council discussed various events and items of interest.

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Councilmember Johnson moved that Julie Lapham be appointed to fill the unexpired portion of term of Gwendolyn Cartwright on the Commission on the Status of Women; this term will expire 15 August 2007. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Johnson moved that Maxine Bakeman be appointed to serve a term on the Human Relations Commission in the position formerly held by John Patterson; this term will expire 15 August 2008. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

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Councilmember Bellamy-Small moved that Shirley Foster be appointed to serve a term on the Commission on the Status of Women in the position formerly held by Cassandra K. Rogers; this term will expire 15 August 2008. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

At Councilmember Bellamy-Small's request, Assistant City Manager Ben Brown provided an update with respect to repairs to houses constructed by Project Homestead.

In response to requests from Councilmember Bellamy-Small, Jim Westmoreland, Transportation Department Director, provided an update with regard to the Department's "Dump the Pump" program; he explained the process used by his Department to determine when additional bus shelters were needed, the manner in which citizens could make requests for additional shelters or maintenance, and detailed departmental standards for shelters and process for maintenance. Councilmember Bellamy-Small requested that staff check the condition of the shelter at Randleman Road/Meadowview Road.

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Councilmember Burroughs-White added the following names to the boards and commissions data bank for consideration in the specific areas of interest: Eric Hinson, Human Relations Commission; Julia Hester, Parks and Recreation Commission and Ed Cobbler, general data bank.

Councilmember Burroughs-White moved that Indira Lindsay be appointed to serve a term on the Commission on the Human Relations Commission in the position formerly held by Gary Palmer; this term will expire 15 August 2008. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

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After brief discussion, Councilmember Gatten moved that Councilmember Perkins be appointed to serve as one of Council's appointees on the Heart of the Triad Committee. The motion was seconded by Councilmember Johnson. After Council had voted, Councilmember Bellamy-Small noted that she had inadvertently not voted as she had intended; Council directed the Clerk to clear the Board. The motion was thereupon adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

Councilmember Gatten moved that Tony Burks be appointed to serve a term on the Community Television Board (GCTV) in the position formerly held by Martin Rosenberg; this term will expire 1 July 2006. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Gatten moved that Rhonda Ayscue be appointed to serve a term on the Historic Preservation Commission in the position formerly held by Stephen Freyaldenhoven; this term will expire 15 August 2007. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Gatten moved that Virginia Franks be appointed to serve a term on the Insurance Advisory Committee in the position formerly held by Annie Parham; this term will expire 1 June 2008. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Gatten moved that Sarla Sharma be appointed to fill the unexpired portion of term of Maria Byars on the Commission on the Status of Women; this term will expire 15 August 2007. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

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Councilmember Perkins moved that Wayne Stutts be appointed to serve a term on the Minimum Housing Standards Commission in the position formerly held by Beth Mckee-Huger; this term will expire 15 August 2008. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

Speaking to concerns with regard to a traffic situation in the Cornwallis Drive area, Councilmember Perkins noted that neighborhood meetings were being held to develop solutions to this problem.

Councilmember Perkins reiterated a request for City departments to provide assistance to address the fields at Lewis Recreation Center.

Councilmember Perkins moved that Jennifer Fountain be appointed to serve a term on the Greensboro Housing Authority (GTA) in the position formerly held by Jane Walker-Payne; this term expires 15 August 2007. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

At the recommendation of staff working with the Greensboro Transit Authority, Councilmember Perkins moved that Mary Lou Zimmerman be appointed Chair of the GTA. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

(CLERK'S NOTE: After the meeting, GDOT Director, Jim Westmoreland requested and Councilmember Perkins agreed that because of current activities at the Depot, the GTA actions would be effective 1 November 2005.)

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Councilmember Phillips added the name of Bill Craft to boards and commissions data bank for consideration for future service on the Bicentennial Commission.

Councilmembers Phillips and Johnson briefly discussed her appearance before the Truth and Reconciliation Commission and subsequent media coverage; Councilmember Johnson stated that some of her remarks had been taken out of context. Councilmember Phillips mentioned the manner in which Council had addressed controversial issues in the past.

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With regard to information received by Council about private tree cutting in the Lake Hamilton area, Walter “Butch” Simmons, Engineering and Inspections Department Director, advised that this work consisted of thinning out brush and trees and was in compliance with erosion control measures. Councilmember Gatten noted that she had been working to help area residents and had offered the services of the City to mitigate any impact on the area lake.

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Noting Guilford County’s financial contributions to the Greensboro Library, Mayor Holliday advised that he had received a request from the Library Board of Trustees that Council consider expanding the Board’s membership to add a member to represent Guilford County. Brief discussion was held, and the Mayor asked Council to how they wished to respond to this request.

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The Mayor and some members of Council offered various thoughts, opinions and personal experiences with regard to their recent visit to downtown Greenville, SC. They shared ideas gleaned from that visit which they believed could be used to benefit and enhance Downtown Greensboro.

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Council received an update from Interim City Manager Mitch Johnson with regard to Greensboro’s water situation and available resources; he advised that on this date, Greensboro had enacted the Stage 1 Water Conservation Alert and were encouraging citizens to voluntarily reduce their water consumption.

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Councilmember Johnson moved that the City Council adjourn to Closed Session for the purpose of discussing a personnel matter. The motion was seconded by Councilmember Gatten and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 7:45 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK
